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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,255	09/29/2003	Yuichi Iwase	09792909-5694	1727

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EXAMINER	
HON, SOW FUN	

ART UNIT	PAPER NUMBER
1794	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/674,255	IWASE, YUICHI	
	Examiner	Art Unit	
	SOPHIE HON	1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *7/02/08*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Applicant's certified English language translation of the foreign priority document JP 2002-288803 perfects the priority date of 10/01/02 which antedates the filing date of Cok (US 6,879,319), which is 10/25/02, and thus the prior art rejection using Cok has been overcome. Therefore, the finality of that action is withdrawn, and Applicant's amendment dated 7/02/08 is entered.

Withdrawn Rejections

2. The 112, 2nd paragraph rejection of claims 1-3, 6 is withdrawn due to Applicant's amendment dated 7/02/08.

3. Applicant's perfection of the priority date of the foreign priority document JP 2002-288803 with the certified English language translation submitted 7/02/08, has overcome the 35 U.S.C. 103(a) rejections over Cok as a secondary reference. Thus said rejections are withdrawn.

New Rejections

Claim Rejections - 35 USC § 103

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki (US 5,670,797) in view of Sekiguchi (US 6,771,327).

Regarding claim 1, Okazaki teaches a display panel (column 1, lines 5-12) including a substrate (17, column 6, lines 43-45) on which a plurality of display devices are formed (light-emitting devices having one or a plurality of LED chips, column 3, lines 48-51) as defined in Applicant's specification (light emitting devices 10R, 10G, 10B, Specification, page 14, first paragraph, Fig. 4A). Okazaki teaches a protective film formed directly on the substrate for protecting the plurality of display devices (LED chip 14 on the substrate 17 are sealed by a light-transmitting resin 16, column 6, lines 43-47, light-emitting devices having one or a plurality of LED chips, column 3, lines 48-51). Okazaki fails to teach a display unit that combines the display panel with a flexible touch panel which (a) is composed of plastic films, (b) is directly bonded to a whole face of the display panel with an adhesive layer in between, and (c) detects contact with a finger or a pen thereon, wherein the adhesive is in direct contact with both the protective film and one of the plastic films.

However, Sekiguchi teaches a display unit (portable information equipment, column 8, line 40) comprising: a display panel (4, column 8, lines 39-40, Fig.4) including a substrate (6, column 8, lines 47-48, Fig.4) on which a display device is formed (with the input panel attached thereto, column 3, lines 19-20, Fig.4); combined with a touch panel for the purpose of providing the desired interactive input (column 1, lines 35-45), wherein the touch panel (a) is composed of plastic films (lower substrate 26 of touch panel 3, made up of a polyethyl sulfonate film, column 9, lines 15-17, upper substrate 21 disposed opposite lower substrate 26, is a plastic substrate made up of a film, column 9, lines 42-44), which renders the touch panel flexible, and where the flexible

touch panel (b) is directly bonded to a whole face of the display panel (there exists no air between lower substrate 26 of the touch panel 3 and the first substrate 1 of the display panel 4, column 12, lines 20-25, Fig.4) with an adhesive layer in between (44, column 12, lines 20-25, Fig.4), for the purpose of preventing reflection at the interfaces therebetween (column 12, lines 19-26) and (c) detects contact from a finger (input is provided from the surface of the polarizer 45 as the viewer touches the polarizer, column 12, lines 5-10, Fig.4), or a pen (input pen 80 onto the touch panel, such input information is recognized by a detection circuit, column 8, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have combined the display panel of Okazaki with a flexible touch panel to provide a display unit that has the desired interactive input, and where the flexible touch panel (a) is composed of plastic films, (b) is directly bonded to a whole face of the display panel with an adhesive layer in between, wherein the adhesive layer is in direct contact with both the protective film of the display panel of Okazaki and one of the plastic films of the flexible touch panel, in order to prevent reflection at the interfaces therebetween, as taught by Sekiguchi.

Regarding claim 2, Sekiguchi teaches that the touch panel is provided on a side where the display device of the substrate is formed and the display device is sealed by the touch panel, since the touch panel is directly bonded to a whole face of the display panel (there exists no air between lower substrate 26 of the touch panel 3 and the first substrate 1 of the display panel 4, column 12, lines 20-25, Fig.4), as defined by Applicant's specification (page 18, last paragraph, page 19, first paragraph, Figure 8),

for the purpose of preventing reflection at the interfaces therebetween (column 12, lines 19-26).

Regarding claim 3, Sekiguchi teaches that the touch panel has a structure wherein two plastic films (lower substrate 26 of touch panel 3, made up of a polyethyl sulfonate film, column 9, lines 15-17, upper substrate 21 disposed opposite lower substrate 26, is a plastic substrate made up of a film, column 9, lines 42-44, Fig. 7) in which respective transparent electrodes are formed (lower electrodes 27 made of transparent conductive film, column 9, lines 15-20, upper electrodes 22 made up of transparent conductive film, column 9, lines 42-48, Fig. 7) are layered so that the transparent electrodes are placed opposite each other (upper substrate 21 disposed opposite lower substrate 26, column 9, lines 42-48, Fig. 7), for the purpose of providing the desired flexible touch panel.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki in view of Sekiguchi as applied to claims 1-3 above, and further in view of Siwinski (US 6,814,642).

Okazaki, as modified by Sekiguchi, teaches the display unit as discussed above. In addition, Okazaki teaches that the display device is a light emitting device (column 1, lines 10-12), but is silent regarding the type of light emitting device, and thus fails to teach that it is an organic light emitting device which extracts the lights generated in a light emitting layer from a second electrode layer wherein the light emitting layer is disposed between a first electrode and a second electrode.

However, Siwinski teaches a display unit comprising as a display panel in combination with a touch panel (touch screen, column 1, lines 20-25), an organic light emitting diode display panel which contains light emitting devices, as defined by Applicant, formed on a substrate (OLED flat panel display 49, light-emitting elements 52, substrate 50, column 2, lines 58-67) in place of a liquid crystal display (column 1, lines 20-25). Siwinski teaches that the organic light emitting diode display has an organic layer including a light emitting layer (organic light emitter 58, column 2, lines 65-66) between a first electrode (metal cathode layer 62, column 2, line 67), and a second electrode (voltage applied by a voltage source 64 across light emitting elements 52, via cable 67, column 2, line 67, column 3, lines 1-3, Fig. 5), and is an organic light emitting device which extracts the lights generated in the light emitting layer from the second electrode side (voltage applied by a voltage source 64 across light emitting elements 52, via cable 67, column 2, line 67, column 3, lines 1-3, Fig. 5).

Therefore, since Okazaki is silent regarding the type of light emitting device, it would have been necessary and hence obvious to have looked to the prior art for a suitable type. As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have used an organic light emitting device as the light emitting device in the display panel of Okazaki, which extracts the lights generated in a light emitting layer from a second electrode layer wherein the light emitting layer is disposed between a first electrode and a second electrode, for the purpose of providing the desired light display, as taught by Siwinski.

Response to Arguments

6. Applicant's arguments with respect to claims 1-3, 6 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on (571)272-1401. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794